





THE
IRISH PROBLEM.

WHAT LACKS THE BACKWARD
FARMER MOST:

SECURITY, OR SKILL?

OMAGH:
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THE five following papers, written by HIBERNICUS, are reprints from the *Tyrone Constitution*. Their object is chiefly to show that instead of LESS landlord influence MORE (but that of an elevated type) is required in those parts of Ireland, the backwardness of which calls most loudly for legislation.

The writer had not perused Master Fitzgibbon's recent pamphlet when the above papers were penned. He now feels gratified to find himself in accord, in so many points, with so able a thinker.

December 1869.

THE IRISH PROBLEM.

I.

A PLEA FOR THE IRISH LAND.

WE are going to beg of our readers to join us for a while in considering the Irish Land Question from a new point of view—one at which both Landlord and Tenant can meet, and for a while cast off that cloak of selfish considerations which hinders each in his progress to a practicable solution of the difficulty. We propose to regard the question neither from the Landlord's point of view nor from the Tenant's point of view, but, with due regard to the reasonable rights of both, from the point at which that oft-quoted personage—the Intelligent Foreigner—would take his stand if asked for his opinion as to what would be best for the community at large. The Intelligent Foreigner regarding the question in the abstract would say—"Here is an island abounding in the elements of productiveness. Much of it is well-cultivated and fertile; but a great deal of it is ill-cultivated and not made to produce two-thirds of what it might. The soil of this island is chiefly owned by large proprietors who have no stimulus save that of a sense of moral obligation, in a greater or lesser stage of development, to induce them to advance the condition of their tenancies. They lack the stimulus of self-interest; for they can raise their rents, whether they have contributed to the improvement of the soil or not, so that an increase of their incomes is not dependant on their own careful thought and consideration as to the means by which the greatest quantity of produce may be elicited from the soil. They have nothing to do, unless impelled by their own good feeling, save to eat, drink, and be merry, while others without are toiling 'to make up the rent.' If the property of any given landlord wears a poor and neglected aspect, no odium falls upon him from the side of his fellow-landlords. He is not shunned as a man who does not meet his obligations. But what can you expect? Dirt and rags are proverbial in Ireland: and what wonder if some of her lords of the soil are 'clad with a dirty and ragged estate' on which nearly every cottage and field tells its tale of listlessness and neglect on the part both of the tenant whose abode is there, and of the landlord who does not stimulate the tenant to better things."

But are the landlords only to blame for this prevalence of ragged houses and tattered land? "No"—the Intelligent Foreigner will continue—"I have found ample evidence," he will say, "in

my journeyings through this island, of every effort being made by resident landlords and their families, to improve the condition of the people committed to their charge; and many a tale have I heard of heart-breaking disappointment—of the most persistent efforts to civilize the small farming community being met not only by a want of inclination, but also by what appears to be a downright inaptitude to improve.

“Make some of them dykes to drain their meadows, and they will not be at the trouble to clear out the weeds periodically unless absolutely goaded to it. Drain their fields and they will let the outfall get stopped up, till by-and-by the wet boils up worse than ever. Rag-weeds and thistles are suffered to infest their pastures. Nothing will induce them to make straight rigs, nor to keep their fences in anything like decent repair. The pig is always in the kitchen, and a noxious pool in front of the door occupies the spot which amongst the English cottagers a trim flower bed would adorn. They stick perversely to antiquated modes of cropping; and exhaust your land thereby to the uttermost; and then turn round good-humouredly—for they are always good-humoured—and tell you that ‘it’s no odds, so long as it makes them enough to live on after they have paid the rent.’ To such men, Ulster Tenant Right is the Right to carry on a half civilized existence, no man hindering them.”

This is the sort of sketch which the Intelligent Foreigner would make of our country and our countrymen; admitting of course that he had only picked out the salient points of backwardness and neglect, on the principle that good landlords and well-to-do tenants and trim farms, however plentiful they might be throughout the country, were nothing more than one had a right to expect to find in any civilized land at the end of the 19th century, so that only the negligent landlords or tenants were deserving of special attention as causing blots on the face of the landscape which had no business to be there.

What cure, then, would be devised for the evil by the impartial observer? Again, and again the words are being reiterated, until they will soon become a bye-word:—“*Compel the bad landlord by law to do that which the good landlord would do from a sense of duty!*” Well and good—but is that sufficient? Is there no counterpart to such an obligation? If the good landlord’s efforts to advance his tenants to their proper place in the march of progress are often unavailing, what can you expect of the bad landlord, even if he is put under legal pressure? You must go still further, and you must *compel not only the bad landlord, but also the bad tenant, by law, to do that which the good tenant would do voluntarily and as a matter of course!* And this is our “PLEA FOR

THE IRISH LAND." Neither landlord nor tenant must be suffered to disfigure the face of the country with cabins or cottages needlessly squalid, if the law can do ought to prevent it; neither landlord nor tenant must be suffered to allow wet, and weeds, and bad cropping to curtail the generous yield which a properly cultured soil would produce, if it is possible to make an enactment which shall ensure good farming.

It will be said that we here point to a sort of ideal despotism by which the law is to make every body good and happy in spite of themselves.

Nothing of the sort. We only propose that the channel of legislation should be turned into such a direction that each and all—landlords and tenants—will find it to their decided advantage to keep pace with the progress of civilisation around them, and to their decided disadvantage not to do so.

And how can this be effected? We have already observed that the landlord has no stimulus in the shape of self-interest, to make it worth his while to devote himself to property-management as a real mercantile business, which if he manages badly, it will be so much the worse for him, and if he manage well, it will be so much the better for him. The improving landlord who endeavours, but endeavours in vain, till he gives it up in despair, to get his farms to be something like Belgian farms, has at least one consolation if he fails. He gets his rents in full, all the same. Even this amiable individual requires another goad to stimulate him to still greater exertions. Even over his head there must be held the fear of the periodical government valuation which, if his farms fall back in productiveness, must visit *him* with a depreciation in his rental. He will then see that the backward farmer, by gentle means if possible, or if these fail, by sterner ones, must be *made* to advance, *or to give place to another*. And that the backward farmer may not have it to say that *he* had no stimulus, the same periodical valuation which raises or lowers the rental of the landlord, must give the tenant full credit for all improvements of proved value made by him with his landlord's consent, on or in the soil. And safeguards must be given against vexatious refusals on the part of the landlord or tenant, to make or to acquiesce in the making of such necessary improvements as shall fall to the part of either of them to effect.

The present idea of Ulster Tenant Right amongst the farming class appears to be that a farmer should be irremovable so long as he pays his rent, and that he should have the right to sell his interest to the highest bidder. This idea may suit the private interests of the farmers themselves well enough; but we—while ready to forego for the public good much landlord prerogative—

assert most decidedly our opinion that such an idea does not tend to the best interests of the community at large.

The farmer ought to be removable by his landlord for improper cultivation, aye and for persistence in maintaining a piggish habitation, (cases of which a government official should be the judge if appeal was demanded). And, in order to restore our patch-work holdings to proper shapes and sizes, so that they may be farmed in accordance with the laws of economy, the landlord should have the selection of the successor to a tenant about to leave. As for sales to the highest bidder—that may be all very well amongst a certain class who know what they are about; but we have already alluded in the columns of the *TYRONE CONSTITUTION* to the influences of whiskey and “sweeteners” in transactions of this nature! We beg of the many farmers in favoured and wealthy districts, and of some newspaper writers, whose experience is for the most part confined to the trim farms in the neighbourhood of our towns, to weigh well our very earnest words, written, we honestly declare, in the interest of no particular class, and we heartily trust under the influence of no particular prejudice; and we hope to unite all our readers, in the name and for the sake of Irish progress, in the opinion we have already expressed that the land legislature of the future ought to be based upon the principle “that the bad landlord *and the bad tenant* should be compelled by law, to do that which the good ones would naturally do from a sense of duty and of their own real advantage.”

II.

ABOUT LEASES

A GREAT deal has been lately said on the subject of leases, and more particularly about 31 years leases. We are unable to see what magic there is in the precise term of 31, but we have heard it so often named in certain quarters, that we begin to suspect it is a “shibboleth.” We believe that a certain State official, having to deal with certain State lands once upon a time, gave 31 years leases to all the tenants thereon, who have thriven ever since. Hence has arisen a tradition amongst public men groping for light on the “Irish Difficulty,” that not only is there luck in odd members, but that there is some special charm in the number of thirty-one.

Let us however make a present of this odd year to its advocates, and join issue with them on the question, notwithstanding the success of the experiment in question, whether a LEASE is the one and sole panacea for the Irish Farmer’s ills.

We say it is not. We affirm that *a lease is too much for a bad farmer and too little for a good one in this country.* And why? To answer this question aright we must define a bad Irish farmer and a good Irish farmer.

The bad farmer in Ireland is a man whose misfortune it is to be a bad farmer rather than his fault. He lacks skill and the habit of order more than he lacks security. It is really passing strange, as one goes from house to house on some Irish estates, to see how the people are marked off, as it were, into two distinct classes. If the distinction went by districts it would be more intelligible; but it does not. On the same hill-side—on one farm we see the fences cared for, the ground free of weeds and wet, the crop flourishing, the house tidy and clean; and on the next one to it we see every one of these conditions reversed. And even if some of the slovenly ones do manage occasionally to get as good crops out of the ground as some of the orderly ones, surely life is not all a matter of pounds, shillings, and pence. Deprive it of comfort, and you deprive it of half its sweetness; and though it may be argued that families which pass a half civilized and dirty existence, are, from never having known better, as happy after their fashion as the cleanest and most refined, still it is surely our duty, if we can, to introduce them to the higher walks of enjoyment, which when they have entered, they will never recede from.

From these remarks it will have been already seen that when we speak of a good farmer, we speak not only of a man who can raise fair crops of oats and potatoes, and turn a ready penny by the judicious buying and selling of cattle, but of one who can raise these crops in a clean and farmer-like manner, and who when he has made a little money by judicious “jobbing,” as it is called, considers it a duty to expend some of it as well as a good deal of his spare time in imparting the polish of respectability to his family and his premises. We class, then, the man who (though he may raise very good crops) lives in a slovenly way, in a slovenly house, and cultivates his farm in a slovenly manner, not amongst the good farmers, but amongst the bad—amongst those, who in addition to all these defects, suffer the weeds to choke their crops, and the wet to sour their land, and, by bad rotation, poor ploughing, and indifferent manuring, wear out the soil till it is well nigh barren.

What advantage would it be to the community to give leases to such men as these? The only thing that it is possible to do is to bear with them as well as you can, and endeavour to train up their sons by dint of good schooling and agricultural teaching, to be more civilized and enlightened than their sires. But if their

sons will not be trained, and will not improve, how long is forbearance to last?

Perhaps what we have written may be rather startling, to some Ulster minds accustomed to what is, if not an actual, yet a virtual fixity of tenure. We shall be asked if we really and seriously propose that a man should receive notice to quit when he has paid his rent regularly for years, merely because he chooses to be slovenly in his farm, in his house, and in his person.

To this we reply that there is too great a tendency now-a-days to be very sentimental in behalf of certain classes, and to reserve all our animadversion for less favoured sections of the community. The present cry is all against bad landlords. Well, hit 'em hard, these bad landlords, so long as you are just and don't class good ones amongst them, or so long as you don't call a man a bad one who is really not so. But be still further just; and if you are down upon the bad landlords, pray be down upon the bad tenants as well. If you make it your boast that you are patriotic Irishmen, show your zeal for your country by an impartial disapproval of *all* who would retard its advancement, whether they be landlords or tenants; and don't seek to perpetuate evils by agitating for leases or any other form of security for any but those who have shown some sign that they are likely to turn them to good account.

But it has been already remarked that slovenliness and bad farming are the misfortune rather than the fault of those of our fellow-countrymen whose name is unhappily "legion." Would we then visit upon them their misfortune? By no means. But we would make it their interest to do their utmost to rid themselves of this particular misfortune, by supplying them with the greatest possible stimulus to improve. We who pen these lines are surrounded by many such families. Right gladly would we feel assured that these families would remain in the houses of their forefathers till the third and fourth generation. But we should also like to see legislation so directed that they would have to *win* this boon by *deserving* it! We are not of those who would impetuously uproot either landlord or tenant; but we are of the opinion that the Legislature should not leave a stone unturned to induce both landlords and tenants, by every motive of self-interest, and by every fear of the consequences of neglect—to keep pace with the 19th century. It is of the tenant, and not of the landlord that we are now speaking. Of the bad tenant therefore we say that we would give him no lease, lest he should snap his fingers in the face of his landlord and the community at large, and remain a bad one. But what of the good tenants? We have already said that for them we do not consider a lease a

good enough reward. A lease implies a time at which, sooner or later, it would be in the power of the landlord to make a change of tenants. Now, this sort of argument is all very well in England or Scotland, where the love of the old fireside is not, as in this country, a national sentiment; and where the hearthstone and the roof tree have been set in their places, not by the tenant but by the landlord—where, in fact, the tenant is a customer, taking from his landlord drained and fenced fields to till, and a trim house to live in; and not, as with us, a partner, who has built most of the house, and drained and fenced the most of the fields himself. In Ireland, the farmer looks for something more than a lease; and considering the difference in the circumstances of the case, it is not without reason that he does so. And right sure are we that if such Irish landlords as are worthy of the name, were to be polled on the question, we should find nine-tenths of them taking a real pride in being able to point to the “old residents” on their estates, whose forefathers were there as long as their own, or longer.

But how are these sentiments consistent with what we have already said of bad, or indifferent, or slovenly tenants? What about their old residentship—their partnership—their hearthstones and rooftrees? Why, we leave it incumbent on them, as we have said, to win for themselves the right to stand their ground, only providing, in the interest of the community at large, that win it and earn it they must; for, as there is in these modern days no divine right of kings, and no divine right of landlords, so there must be no divine right of the people, to set themselves as obstructions in the stream of progress, which never pursued a more bright and silvery course than it is doing in this our day!

We conclude, then, as we began. In Ireland a lease is too much for a bad farmer, too little for a good one. But it should be open to every bad one to become a good one. Not a stone should be left unturned by the State, or by the landlords, who, on their several properties, should be regarded as the representatives of the State, for the improvement of the habits and the agricultural skill of the people. And whereas it best befits the land economy of Ireland that outlay on improvements should rather be the joint work of the landlord and the tenant, than, as in the Sister Island, the sole work of the landlord, the tenant should in all cases have the value of his share of the outlay secured to him. And, moreover, as want of skill is so common amongst Irish farmers, and as that lack may cause much of their outlay, if unaided by skilful direction, to be abortive, every discouragement should be given to independent outlay on the part

of the tenant without consulting the landlord; while at the same time due provision should be made against unreasonable objections to reasonable improvement from either side. Let but all this be secured, together with a wholesome modification of the law of eviction, and we shall gradually glide into such a fixity of tenure as shall reward real worth, while affording no shelter to the undeserving—a fixity of tenure which will fulfil the conditions of the Plantation of Ulster with an entirety which any mere plan of stereotyping, as it were, the state of things as they now exist would utterly and signally fail to effect.

III.

ABOUT LEASES (PART 2ND).

The aim of James I. when he devised his "Plantation Scheme," was to give encouragement to men who were willing and able to transform the wilderness of Ulster into a garden. Many such men appeared, and thanks to the wisdom of the Monarch, thousands of our northern acres are now rich with fertility. But in spite of the Monarch's wisdom, other thousands of those acres are still in a state of little better than barrenness; and on many a hillside, squalidity and real or apparent penury reign supreme. And this is due to the too frequent departure from the spirit of the scheme in question.

Now, by whom was this departure made? Some will reply—"By the landlords, by a denial on their part of that security which was prescribed by the Sovereign, and which was requisite for the development of the best energies of the tenant."

Let us appeal to unimpeachable facts in order that it may be seen how far this allegation can hold good. We shall confine ourselves to a case within our own direct cognizance. We prefer not to deal in generalities, and will leave it to others to say whether our conclusions are borne out by their own experience.

We have before us a lease granted in the reign of William III., in the year 1700, demising two townlands, containing about 500 acres, to a single individual for the term of three lives, at a rent of £16 per annum. This lease dropped in the year 1750 when the lands in question appear parcelled out amongst about forty holders, who in their turn receive leases for three lives more, or thirty-one to forty-one years, at about 5s per acre. And we have before us a further budget of leases which, at about £1 per acre, bring all these holdings down to the present generation. Some have fallen in, and have not been renewed; others are still

running. But as the condition of all the holders is unchanged, save for the better since the time when the last leases began to expire, we may assume that they have all been virtually under a system of security of tenure since the land was first redeemed from its state of wilderness. It will surely then be interesting to see what have been the economic results of this security of tenure, and whether it has established a race of model farmers. Certainly some of the farms and farm steadings in question are most pleasing to behold, the houses neat and clean, the yards tidy, the fences very tolerably trim, the fields fairly farmed. But others again, under exactly the same conditions, are in nearly every respect the reverse. We have recently visited some of the holdings of the latter class; and to say nothing of the more purely agicultural defects, have felt in a state of positive perplexity when striving to devise some means by which the long Irish rows of deformed habitations thereon could be converted into civilized dwellings, rather than be totally demolished.

Let us return for a while to our starting point, the lease of 1700, and examine some of its terms. They were such as follows:—That the lessee should “erect, or cause to be erected on the most convenient place on the premises a large dwelling house of good oak timber, the walls of stone and lime, at least 50 feet long and 14 high; and sufficiently enclose with ditch, and quickset a plantation acre of land adjoining to said house, and should sufficiently plant the same with good fruit trees.” Then a proviso that the lessee should preserve all the timber growing then or thereafter on the land; uphold and maintain the buildings in tenantable repair, and at the expiration of the demise should “so yield up and leave the same.” Also that he should “scour and fence in the meares and bounds of the premises.” And that he should “not at any time, alien, sell, or convey his estate or interest in the premises or any part thereof, without the special license of the lessor in writing.”

Now, in the memory of the oldest inhabitant, there is not even a tradition of such a house as the one stipulated for having ever been built. There is, however, the most palpable evidence that the sturdy yeoman in question, if he did not do his part to improve the face of the country, according to the intention of the Royal scheme, commenced even at that early era to lay the foundation of that system of independence of landlords and *their* rights which has now become so much in vogue.

For in the face of the stipulation not to assign without consent in writing, we find the land, at the expiration of this first lease, in the hands of forty sub-tenants. It is true that on the back of the lease there is a memorandum of assignment; but not only is this

to *one* individual, and not to forty, but further, it is clearly nought but a little private arrangement between the assignor and the assignee; for although their respective signatures are duly attested, the landlord's assent does not appear thereto at all.* The forty were evidently this middle-man's squatters. But it would appear that when the lease fell in, the landlord whose tenants they then became, good-naturedly established to them the benefits of the Plantation Scheme; for they all now received leases for lives with the usual stipulations.

The family of the assignee who has just been alluded to, come in for about seventy-five of the 500 acres under the new arrangement. The love of sub-letting seems still to pursue them; for although the stipulations against this proceeding were renewed in the leases of 1750, we find in an old note book belonging to the landlord who owned the property in the year 1798, the following memorandum respecting their holding:—

"This farm is let mostly to under-tenants far a guinea an acre."

Now, mark the rent for which this land had been let by the landlord in 1750.—Five Shillings an acre. Are we to believe that the family of this assignee had themselves so far improved their holding with buildings, fences, and so forth, as to have it made worth twenty-one shillings an acre before they sub-let it, contrary to their stipulation? We scarcely think so. We fear the assignee did not do by his illicit under-tenants as his landlord had done by him. And what had the landlord done for him? He had let him the land at a rent which would enable him, with much profit to himself to reclaim it, and be able to have a considerable sum to his credit, if he was a thrifty man, at the end of thirty-one years, even after he had delivered up all his improvements in good condition to his landlord, as per agreement. Don't let any one exclaim at the idea of his giving up his improvements; for was it not a bargain? The conditions to build proper houses, quick and weed the fences, scour the ditches, &c., were all in the lease, clearly set forth. It was as though the landlord had said, let us suppose, to some holder of twelve acres, "You shall have these twelve acres for thirty-one years, not at 21s an acre, the price at which you value it amongst yourselves in sub-letting it in an unimproved state to each other, but at 5s an acre, in other words at about £90 for the whole term instead of £390, on the condition that you add what I specify to the value of my land, and restore

* The landlord's name does appear at the foot of another and a most peculiar endorsement, viz.—a stipulation that if the trusty yeoman and his family attend at the parish church and hear prayers and sermons, he is to be let off £1 per annum of his "dues!"

it to me at the end of the time with the specified improvements upon it." What an excellent bargain for a twelve-acre farmer, even if he built the best of houses, and made the most perfect drains, and the trimmest of fences.

The English landlord charges for similar land at the present day 30s per acre and upwards; having first made the improvements in a much more durable and skilful way at his own cost. We think the English landlord is the most business-like of the two. What he does in drains, fences, or buildings, will last for a century or more. The Irish *tenant* of each generation in some of our backward districts shows his taste for improvement best, by *destroying the improvements of his predecessor*: pulling down the old cabin and erecting a better (to be pulled down in its turn by his son who will build a two-storey house), levelling the fences made with much toil, "*hoking*" up with difficulty the old shallow stone drains and making deeper ones. But it often puzzles us to discover the grounds on which tenants of this class found their claim for compensation. Heartily as we can sympathise with the tenant, who with a farm already let at its full value, is expected to make thereon drains, buildings, and all the rest of it, without any security assuring him the enjoyment of these until he has recouped himself, and who at his own risk carries out these works in a skilful and efficient manner we confess that we cannot extend our commiseration to men whose improvements (being, perhaps to begin with, *no improvements at all*,) have been effected under a continuous system of leases with rents estimated in accordance with the stipulated work to be done ever since the land was a wilderness. In such cases we reserve our pity rather for the landlord, who, having in the course of 31 years foregone on a farm of say 12 acres an aggregate sum of about £300 of rent, finds himself saddled at the end of that time with a number of ungainly fences—many of them superfluous; some shallow drains which, from having to be "extracted" before new ones can be made are worse than none; and a range of unsightly buildings.

And to crown all, he would be told that the tenant whose advantageous lease had just dropped, had a right to compensation for all these valuable labours.

Those who are extensively acquainted with the modern history of Tenant Right in Ulster will, we are sure, admit that this is not an overdrawn picture of the too common defects of the system.

While contemplating our sketch we feel sorely tempted to use the words of Lord Palmerston, and say, "what some call Tenant Right is too often Landlord Wrong!" But on further reflection we feel we must admit that in the past there have been faults on

both sides. Or perhaps we shall express the position more truly, when we say of both, that the evils which have arisen have been "more their misfortune than their fault." *That system which leaves it to the unskilled tenant farmer to build, fence, and drain, without the landlord's guidance or assistance must in many parts of this country—in model Ulster as well as poor slighted Connaught—result in a great deal of unprofitable outlay.* And when, in addition to the imperfect skill of many a tenant, and his deficiency of capital to do the work substantially and well, we have the fact of landlords being non-resident, so that there is no check upon the departure of the tenant from those terms of his covenant or lease which were intended to cause him properly to improve his holding, we have the whole secret of the slow progress made in some parts of the much extolled Ulster Settlement.

The present landlord of the property of which the lands in question form a part, is now resident thereon, but his predecessors dwelt elsewhere. It will remain for him, and those who succeed him, to cure the faults of the past—to see that by future stipulations and agreements, which should be made the indispensable condition on which the present tenants and their heirs should enjoy security of tenure, proper houses should be erected if needed, proper fences made, and the land properly drained.

These stipulations were duly made in past leases era after era. They were not, for the most part, carried out in the intended spirit; for many of the houses are incommodious and unsightly, the farming too often indifferent, the fences fearful to behold.

Now, are these houses, farms, and fences the property of this landlord, or of the tenant? Clearly the property of the landlord; for in consideration of their being made, improved, kept up, and given up by the tenant at the end of the term, the landlord gave to the latter a lease of the premises for 31 years, at a proportionate rent.

We have taken some pains to prove this, not for the sake of being hard upon tenants in any way, but merely to show, that supposing past "improvements," which are not "improvements," will have in future to be destroyed, those who have made them agreeably to the conditions of such leases have no just claims respecting them. The loss is that of the landlord and his predecessor, who chose to forego the power of letting the land at a higher rent, in order that they might have these things done for them.

There are their "improvements"—Failures—and there's an end of it! For the future we would propose a new state of things. As we have said, we should be willing to leave the invidious right of revaluation to the State, and let it be at certain set

periods. But we would still claim for the landlord the right to stipulate for those improvements to his property in which his forefathers, and his tenants and their forefathers, have tried their hands and in too many cases failed. We would seek for no evictions save for non-payment of rent, *or for failure or refusal to carry out reasonable stipulations of the above nature*; and lest such should at any time be considered unreasonable, we would submit them gladly to the opinion of some *government official* appointed for that purpose.

And whatever improvements were made at the tenant's cost, if he had not a set-off in the rent, we would leave to his credit, claiming the same terms for improvements made by the landlord.

It is our belief that such an arrangement alone would meet the real intention of the PLANTATION OF ULSTER.

To the system of terminable leases, as we have already stated, we would not return. A bad tenant slips through a lease. For a good tenant it is, we maintain, an insufficient reward; if at the present usually prevailing rental (about £1 per acre) the bulk of future improvements, supposing that they are to be really improvements, devolves upon him. And we have lively recollections, which make us inimical to leases, of an aged relative of our own having been obliged a short time before her death to quit a house in which she had spent most of her life, because her lease had expired, and the house was sold over her head. We Irish love the prospect of handing down to our heirs that which was the home of our fathers before us, whether we be high or low; and while holding that wilful neglect or mismanagement deserves to be visited, in any class, with the natural penalties, we here put in a plea in favour of SECURITY FOR THE WELL DESERVING. And since, in the foregoing remarks, we have spoken much of the shortcomings of the slovenly and unskilled amongst a tenantry which we suppose we may take as a fair sample of many Irish tenancies, we gladly bear witness to the willingness which exists amongst many of these to improve, if only they can be shown the way. And at the same time we gladly admit that these slovenly and unskilled ones form but a section of the whole. But as with individual estates, so it will be with Ireland. And it should not be suffered, if good laws or good landlordism can prevent it, that even a *section* of Ireland should be left to lag in arrear of the age!

Believing, for our own part, that in the past, the security of leases has in reality been more general than some would lead us to suppose; we also hold that this form of security has proved a failure so far as regards the general advance of the country. For the future development of our agricultural resources we look

with more hope to a land partnership, which, commencing by a valuation of actual improvements already made by the tenant over and above any proved stipulation, and not against the consent of the landlord, which shall in all matters for the time to come bring landlord and tenant into mutual co-operation for the general good. *Sic floreat Hibernia ! Erin-go-Bragh !*

IV.

LANDLORD AND TENANT IN ENGLAND.

We have recently discussed in these columns the relations to each other of landlord and tenant in Ireland, and we feel that we could not better supplement the articles which dealt with that topic than by detailing to the readers of the *TYRONE CONSTITUTION* the substance of some observations and enquiries which we have recently made in a northern county in England, respecting small farms and their management there. We had an opportunity of prosecuting enquiries on two adjacent properties, both belonging to excellent and business-like landlords; and from the agent of one of them, a gentleman in every way suited for his position, we gained, the following information:—

On the property which he represented there were few leases. The bulk of the tenants held by a regular form of written (or rather printed) agreement from year to year. There were farms of varying sizes, say from nine statute acres to a hundred or upwards. Part of the soil (lying on a bed of coal) was of a black, sandy, loamy nature. The hilly ground was a heavy clay. The rental varied from 35s to £2 and £3 per statute acre: that of the sandy loam being higher than the heavy clay, and the amount per acre being also higher in proportion to the smallness of the farm.—For instance, a certain farm of nine statute acres on heavy, stiff land paid an amount equivalent to about £2 10s. per statute acre; while another—a forty-acre farm—with the same soil, paid only £1 15s. A third farm of ten statute acres, *without buildings*, the soil a stiff clay, let at £1 10s. per acre.

We now proceed to give the reason for these differences.

Unlike the Irish usage, the farm buildings, for the most part, were erected, not by the tenant, but by the landlord. They were handed over by the latter in a state of tenantable repair, and materials in the rough were, when necessary, supplied to the tenant to keep them so. In cases where the buildings were old at the commencement of a tenancy, it was usual for the landlord to agree to keep them wind and water tight, for in this

case the tenant would otherwise be at a disadvantage as compared with one who entered into new buildings which would stand in little need of repair.

In cases where there was a lease, *if the land was let at a high rent*, the landlord would erect any necessary new building, even during the continuance of the lease without extra charge. But if the rent was low, he would charge from 5 to $7\frac{1}{2}$ per cent. on the outlay. On the small farms—say of nine or ten acres, let as high as £3 per acre for the best soil—the landlord thatched and otherwise repaired the dwelling-house, the tenant repairing the offices. If a new house were wanted on an unleased farm of this size, the landlord would build it, entering into a new contract with the tenant, and charging interest on his outlay, subject to the same modifications as in a leased farm. If the tenant wished to build himself, he would be allowed to do so, if he would build in accordance with the “office plans.” In this case he would receive back half of his expenditure if he left in five years, but nothing if he remained in occupation over ten years. It was very seldom, however, that tenants did build for themselves; and we must in frankness add, that we can scarcely wonder at it, when their interest in a work of so permanent a nature was made, by the terms of their annual contract with the landlord, to expire so soon. When drainage was required, the landlord on this estate supplied the tiles; the drains were opened and filled by the tenant, subject in all cases to the approval of the office. On the neighbouring estate only the shoughing tiles—*i.e.*, for ditches or “shoughs” being filled in—were supplied by the landlord.

Such a thing as payment for the tenant’s goodwill did not exist on the estate. We may add that the district of which we have been speaking is a rural one. The ordinary yield per acre of oats was stated to us by a farmer to be about 150 stones; that of potatoes, about 5 tons on the low ground. The course of cropping we give from the statement of a holder of 16 statute acres, who paid about £2 10s an acre as rent:—

First year, wheat; second, “wuts” (*Anglice*, oats); third, “we maws” (*i.e.*, mow clover and grass seed); fourth, “pluff.” (By a happy thought it occurred to us that “pluff” meant *plough*—*viz.*, for potatoes and turnips.)

Our friend had a lease on a life. He kept a horse big enough to eat two of our little “garrons” for his breakfast. The horse and his harness were both in a shining condition, which would make some of our *gentry* open their eyes, let alone our farmers. Two cows and a sturk constituted his dairy stock. He did not “go in for” profit off poultry. Butter fetched in the neighbour-

ing market about 1s 4d per lb. at present. It had been as high as 1s 9d.

We feel sure that our farmer-readers have not failed to remark on the rent paid by this holder of sixteen acres. With some £20 or so of rent to pay more than they would have to do, they might expect that his house would look a bit bare. Far from it. Here is the kitchen:—A nicely sanded stone floor; a well-polished kitchen range; four presses and cupboards, with their brass knobs all shining; at each side of the fire a rocking arm chair with chintz cushions, scrupulously clean; a sofa, ditto; a little cosy round tea-table, with a white cloth on it, and a larger table *hinged up against the wall* when not in use; pictures on the walls, which were colour-washed; a long latticed window with three lights, and enlivened with pots of geranium; the look-out, not on a dunghill or a dirty yard, but on a gooseberry garden, bordered with flower plots. It was “cleaning-up day,” and the daughter of the house apologised for the litter.—*Litter!*—We could have bit our lips through with vexation when we thought of the litter which a similar occasion would present on *this* side of the water. Why, it only consisted of a string of very cleanly washed clothes across the room, and well above our heads, and a pile of brass and tin utensils near the fire-place, which she had finished rubbing so bright that they shone again. And the comely lass who had made this “litter” was clad in a coloured cotton bedgown, striped linsey petticoat, and clean, though coarse, white apron. No dirt. Not the faintest appearance of a tatter or a tear. The pig was in his own proper abode, the poultry were in theirs, and—part of the secret of so clean a kitchen—there was a scullery, where all the dirty work was done. But that, on the occasion of our (unexpected) visit, was clean too.

From all we witnessed here, and all that we had previously heard and have already detailed, a variety of reflections arose within us.

The first was—Why do so many of our Irish small farmers fall short—too often lamentably short—of this picture of tidiness and comfort? It can’t be want of leases, or want of security of tenure in some other form; for the chief ingredients to comfort which we have named are such as would be at the command of a family which had a positive certainty that it would have to quit the premises in a twelvemonth. It can’t be want of means; for the English working-farmer, with nearly twice the rent to pay, ought to be the poorest of the two. The English land may be something more productive; but from such comparison of soils as we have made, we would prefer to lay that to

the score of cleaner fields. and of richer manure, arising from a more generous system of feeding to the beasts: and we would also remark that the system of growing two similar crops in succession on the same land is absolutely unknown there.

Though we write from the landlord point of view, we feel no pang of envy of our landlord friends in England with their £2 10s per acre—a price which would pay us right well here even if we did all the building, draining, and so forth for our tenants. But we do feel a pang of regret at the thought that, from whatever cause, so many of our Irish small farmers, in place of being better off with their moderate rents, are worse off; and in many respects stand at a lower level of civilization than their fellows in England. The traveller in the present day, when he turns to the pages of Fyne's *Morrison's Itinerary*," written two centuries and a-half ago, cannot fail to be struck with the fact, that—being then, according to his account, far in arrear of their neighbours—the Irish people have not since made that effort which is requisite to make up the lee way which they have lost.

Earnestly anxious though we are to see every reasonable security given to the Irish tenant-farmer, so that he may have every possible inducement to improve his farm and improve his own position we are as earnestly convinced that in many an individual case, and in many a wide-spread district, such security will be but the mere A B C of national progress. Other means are needed to reform the whole habits of a people. Can Mr. Bright solve *this* problem?

V.

HOPE FOR IRELAND!

We Northerners boast ourselves rather vauntingly of our superiority over the Southerners in point of civilization and advancement, but the boast is one we have little right to make. Some people talk of the "Protestant North," some of the "tenant-right system" in the North, some of the admixture of English or Scottish blood in the North; and all these accidents come in in their turn for the credit of Northern prosperity. But, meanwhile, there arises the question:—*Is* the North so much more prosperous?—Is it, on the whole, more prosperous at all than the Southern portion of this island?

There is good farming in the North, there is good farming in the South; there is bad farming and squalid poverty in the South, there is bad farming and squalid poverty in the North

also ; there are Southern counties in which there is no tenant-right, and where, nevertheless, there is good culture, and every outward sign of prosperity : there are Northern counties where, in spite of an existing custom of tenant-right, we find bad culture and every outward sign of poverty, backwardness, and want. Now, we confess that these are puzzling facts. Objecting strongly to the continued absence of legislation on the subject of tenants' improvements, we should be too glad to be borne out by facts in the argument that, unless you have tenant-compensation in some shape or form, you cannot have tenants prospering : but facts are stubborn things, they will not come at command ; and here we tell and assure you that in parts of the South—in localities where no such custom exists—there is prosperity and success as great as any to be found in the most favoured districts in this province (Ulster.) What shall we say then ? Have those who have for years been urging a system of tenant compensation for Ireland, from a sincere and earnest desire to contribute to her agricultural advancement (to say nothing of some who have urged it merely for political ends,)—have they all been contending for a mere idea ? Let us try to get to the bottom of this difficulty. It is our belief (it may be an erroneous one, and we are open to conviction if we are wrong) that if the wish of the most extreme advocates of tenant right were granted to-morrow, and a system of fixity of tenure, with low rents, were introduced, the great bulk of that particular class of our farmers which stands in special need of improvement would remain virtually at a standstill. Well-to-do men, and men of taste and skill, might build houses and barns, and lay drains, and straighten fences, and make farm roads, fill hollows, sub-soil the land and all the rest of it ; but what of the multitude which is not well-to-do—which, notwithstanding the possession of considerable experience, *after a fashion*, lacks what we should call *skill*—the skill of the latter end of the 19th century—and which has had little or no opportunity for cultivating taste ? What of the men who, doing their very best most industriously, would only, and could only, erect unsightly houses and offices—monuments of industrious energy, if you like, but monuments of ugliness and unfitness. And, putting taste and even comfort out of the question, and proceeding to bare utility, what of the men whose notions of draining were entirely erroneous, and who, with the utmost of willing hard labour, could only succeed in making “shores” which would throw up boils of wet in place of drying the land—and many a good farmer knows what a trouble and expense it is to have to take up badly constructed “shores” in order to lay proper ones ? What of the men who have no notion of the most approved systems of rotations of crops ;

whose ideas on the subject of manuring are lamentably deficient? What of the men who use briars and old carts for gates, have no earthly objection to tumble-down fences, and appear to have an affection for thistles? Would fixity of tenure, or a rental at the rate of five or ten shillings an acre, lead to the uprooting of a single ragweed?

And yet we are hearty advocates for tenant right. Tenant right—Yes! but of what nature? The right of the tenant to have *secured* to him, in some shape or form, the value of his *real* improvements, such as are necessary to good husbandry, and proportionate to the size of his holding. We do not agree with those who say that legal security is not needed, for that landlords are really to be trusted, whatever agitators may say. If we were to lend a hundred pounds to our dearest friend we should like to have his “handwriting” for it; “in case of accident.” We must be business-like even with those whom we trust; and it is very unbusiness-like for one man to lay out, or to be expected to lay out, time and labour in the improvement of another man’s land without even “the stroke of a pen” to secure to him or his heirs the value of what he has done.

The right, then, to such security as this is one which should be demanded as a charter right: it is a right to which the British Constitution entitles the farmer—whether he can afford to dispense with it or not—and the deprival of which is an infringement of that Constitution!

But “who is to decide what are real improvements?” is the instant question. Here comes the rub! And how is the *backward* farmer, whom we have just been describing, to be enabled to make such improvements? This is another rub! These two, in fact, are the questions which have puzzled statesmen for years. Shall we strive to answer these questions? Shall we endeavour to point out how arbitrators should be appointed by Government, as though landlords were opponents to their own and their tenants’ advantage; or how State agriculturists should be appointed, as though landlords neglected the improvement of their tenants in agricultural skill?

Let us rather turn aside for a while, and let us dream a dream! Theorists and visionaries are generally run down in this world; but unless dreams are first dreamed and theories framed, many things which need reformation will never be reformed. The architect fashions in his mind the plan of the building which he is commissioned to erect; he dreams in day-dreams of tasteful outlines and commodious combinations of apartments; then he sketches them on paper, changing, and altering, and amending, till he gets his perfect plan; then that plan is drawn out with care,

and the edifice is erected which is to remain, perhaps, for ages, a monument either of success or failure. But *we* cannot profess to be architects. The nine tailors of Tooley St. thought themselves great architects after their fashion, and everybody laughs at them to this day. So we must be very careful how we dream and how we plan—nay, we must remember that it is not *we* who have to build the house, we only have to live in it whether it be well or ill constructed. Still a dream for a few minutes will not hurt us; and though we have not great houses to build, it may inspire us with a wish to improve our little one. Let us then close our eyes for a moment and enter into the Land of Visions :—

We saw a beautiful island, rich in its soil, rich in its mineral productions, rich in its water-power and other natural resources. The natives of the island were numerous, and the bulk of them tillers of the soil. They were quick and clever wherever their quickness and cleverness were developed; they were loving wherever their love was fostered, but we were told that they could be indifferent and even hate when they were slighted, neglected, or wronged! In passing through this island we saw many who seemed listless and stupid, lacking in energy and devoid of skill, open-mouthed, vacant-looking, unshorn, unwashed, ragged men, such as would drive to despair the most well-meaning strivers for their improvement. We asked who these men were, and we were told that they were men who lived without hope, and whose energies had been chilled and stunted within them. We asked, too, how it came that these listless ones were so numerous, and we were told that it was not so much that *they* were so numerous as that the better specimens were so *few*, for that the men of vigour, quickness, and energy had, in innumerable instances, left the island and sought other shores where they could find a better field for their exertions. We asked why this hopelessness existed, but some answered one thing, some another, each according to his own fancy or theory; and nobody seemed to know. It appeared, however, to most thinkers that a great many were hopeless because it was the custom to be hopeless; and that many a man who *might* have put his shoulder to the wheel for himself *did not*, because other people persuaded him that it was no use, and that he ought to wait for something which was never going to come.

Then we ask who or where were these people's natural guides. They told us themselves that they scarcely knew! The country had a Sovereign, they said, but that Sovereign had scarcely ever visited it. The land was divided into estates, owned by landlords—some of them excellent ones, and their tenants prospered in consequence—but many of the landlords scarcely ever dwelt on their estates; some had never seen them at all! These landlords

had agents—some of them resident, active, and kind; but some were only to be seen once in the year, or twice at the most, and that was when they came for the rent. There were clergy of different denominations, but their duties were spiritual, it was not their place to be temporal guides.

In many parts of the island, there were substantial farmers—men of capital and skill, and the absence of landlord or agent mattered little to them. They would gladly have welcomed them as friends, and looked up to them moreover with the respect to which their position entitled them, but were to a great extent independent of any aid they could afford as guides or directors. They held their tenements from year to year, it is true; but they improved them as occasion and good husbandry demanded, without security, certainly, and with the chance of having their rent raised for their pains; but if this was done they had broad shoulders, and they merely grumbled and growled, as well they might, and submitted (having no choice), hoping for better times when enlightened laws would ensure to every man the fruits of his toil. They knew that their landlords would not be so blind as to part with good solvent tenants; although there were sundry little qualms, about election times, when passions ran high, and proprietors sometimes forgetting themselves, showed a disposition to punish people for having opinions of their own.

And in some parts of the island, these substantial farmers—aye, and the poorer men too—had this consolation, that if they did lose their farm, the in-comer would have to pay them for what they or their forefathers had done to improve it. In the parts where this custom did not exist, the *MONEYED* farmer, as we have said, risked his money and his labour notwithstanding; but the poor farmer, *knowing that he was a description of tenant whom few cared to keep*, did about as little as he could, (and if he had done as much as he knew, that would have been little too,) and so the *chances* of anybody caring to keep him *were lessened instead of increasing, as the world advanced around him?*

And in this, we thought, lay the root of the whole evil. Everybody who cared about the matter at all—everybody who spoke about it—*considered the case of the sturdy farmers, who were best able to take care of themselves*; but even those who proposed themselves to be the “tenant’s best friends,” appeared to overlook the case of the cottage farmer with his ten acres, half-skilled, struggling and poor?

And the bulk of the people held ten-acre farms; and the bulk of the ten-acre farmers needed guides, and they had none?

In this island, political agitation of one kind or another was constantly going on; and no wonder; for it had plenty of

fuel, as may well be supposed; and agitation had reached such a head that even those who wished to bring about reform for the real benefit of the people were looked on with mistrust, and deemed self-seekers by legislators and others who, being very comfortable and prosperous themselves, thought that if others were not so, it must be their own faults *somehow*; though they did not seek too diligently to study *how*!

Then we dreamed again; and behold! an active spirit of love for this poor island filled the mind of the sovereign; and that sovereign said—"I will annually reside among this my people; and furthermore, no subject of mine who derives revenue from the rents paid by this my people, shall find favour in my sight if he does not, in his turn, visit that portion of those my dominions in which under me, he is to his tenants what I am to him and to all. Nor will I receive at my court elsewhere any landholder of this island who has not first paid homage to me at the court which shall be holden by me therein. And I will issue commissions of able men who shall inquire into the condition of the country's natural resources, and learn the nature of the obstacles which impede their development, And then will I exhort my Parliament to frame such just and wise laws as will tend to encourage and facilitate the operations of industry, develop the skill, and augment the wealth and prosperity and happiness of these my subjects."

And that Sovereign came and dwelt among the people of the island; and landlords came and dwelt on their estates, and, with their wives, and their sons, and their daughters—following their sovereign's example—visited the poor, considered their condition, worked for their amelioration! Heirs to landed property were no longer left to amuse themselves, or employ themselves as best they might, till the course of nature should chance to place them in their father's shoes; but they received a new training. They, like the sons of the new, the manufacturing aristocracy, were brought up to their business. They were taught how to perform the duties of their station; how the people who were under them could best be advanced, how the properties which maintained them could best be developed. And the rustic youth of that island were especially instructed in the details of the calling by which they had to live, according to the rules of modern agricultural science, so far as they were adapted to their humble style of husbandry; and their sisters were taught to make clothes, to mend them, to cook, and to clean. Poverty vanished, rags vanished, dirt vanished, discontent vanished, the people learned to respect themselves, and they also learned to respect those who were placed over them; love reigned supreme, and that attach-

ment between chief and retainer for which the island had been famed in times of old revived with twofold intensity.

The island prospered ; not more, it is true, than other countries on the adjoining mainland had been prospering for years, but then it had been far behind them, and now, like them, it prospered ; and Heaven smiled on those who had done their duty by tens of thousands of struggling poor, and most especially on that ONE, that sovereign who had led them by example to do their *duty* !

Our Island Dream is told : God grant it may come true !

DESIDERATA FOR A TENANT RIGHT MEASURE.

1.—An admission of the principle that no *good* landlord would arbitrarily evict a *good* tenant.

2.—A definition of a “good tenant.”

3.—Security to the tenant against valuation of his improvements for a rise of rent ; and against eviction so long as he fulfilled the conditions of good tenantry.

4.—Security to the landlord against refusal by the tenant either to improve or suffer the landlord to do so.

5.—A court of arbitration for the settlement of differences between landlord and tenant, consisting of a Government agriculturist, and two arbitrators, (one chosen by each of the parties.)

6.—Clause against subletting or assignment without landlord's consent.

HIBERNICUS.





